

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

February 10-14, 2003

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-11	EX	75/602,760	National Health Information Network, Inc.	Hanak* Chapman Bottorff	2(d)	Refusal Affirmed		"CARE RX" [computer software for use in disease management and prescription management]	"RXCARE" [electrical and scientific apparatus, namely, pharmacy management software applications]	Vanston	No
2-11	CANC OPP	29,387 116,011	Sequent Computer Systems, Inc.	Simms Seeherman (D) as to opposition Hanak*	2(d); counterclaim to cancel petitioner's pleaded registration on grounds of genericness	Petition to Cancel Denied; counter- claim for cancel- lation denied; Opposition Sustained	<i>in the cancellation, petitioner relies on its registration for:</i> "NUMA" [installation, maintenance and repair of computer hardware; computer programming for others in the field of medical imaging]; <i>in the opposition, petitioner relies on the above registered mark and on a common law mark for:</i> "NUMASTATION" [computer hardware and software]	<i>registered mark:</i> "NUMA- Q" [computer hardware, namely, multiple interconnected processors]; <i>mark in opposed application:</i> "NUMACENTER" [computer hardware, namely, multiple interconnected processors and computer software for use therewith to facilitate the interconnection and interoperation of such hardware, and instruction manuals distributed therewith]			No
2-11	EX	76/106,045	Laura M. Congemi	Cissel* Hanak Bucher	whether applicant may amend its identification of goods	Refusal Reversed		"AUNT SAMANTHA— AMERICA FIRST" [<i>original identification of goods:</i> "female version of Uncle Sam to help promote America's greatness"; <i>amended identification of goods:</i> "printed matter containing a female version of 'Uncle Sam' with the expression 'Aunt Samantha—America First'"]		Case	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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2-12	EX	76/308,467	David Lucas	Cissel Hairston Bottorff*	2(d)	Refusal Affirmed		"NOVA VINEYARD" [wine]	"NOVA" [vodka]	W.K. Price	No
2-12	OPP	113,941	Sharp Kabushiki Kaisha v. Lee A. Namisniak and Dianna L. Namisniak	Seeherman* Quinn Hohein	2(d)	Opposition Sustained	"SHARP" <i>[a wide range of products, including microwave and electronic ovens, vacuum cleaners, air conditioners, washing machines, electronic organizers, telephones, televisions, radios, stereo systems, camcorders, copiers, printers, calculators, facsimile machines, LCD screens, and semiconductors] and other marks incorporating the word "SHARP" for a wide variety of electric and electronic products</i>	"SHARP KITCHEN" [food storage tracking system consisting of electronic timers, inventory lists, LCDs, database featuring common food item names, estimated food lifetimes and recipes, warning devices, namely flashing characters in a LCD, for use in monitoring the storage and replenishment of perishable food]			No
2-12	EX	76/052,746	Jane Kittle	Simms Cissel* Drost	2(d)	Refusal Affirmed		"A PET'S WORLD" (and design) [animal carriers, pet collars, pet leashes and pet clothing]	"PET WORLD" [wholesale and retail pet and tropical fish store services]	Stoides	No

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2-13	EX	74/293,358	G. H. Martel et Cie	Seeherman Quinn Rogers*	2(d)	Refusal Affirmed		"G.H. MARTEL & CO." (and design) [champagne wines]	<i>10 cited registrations, all owned by the same entity:</i> nine registrations for labels applied to the bottles for registrant's goods, all nine labels bearing the word "MARTELL" and other words and/or designs; and one registration for the mark "COGNAC. THE ART OF MARTELL" [all ten registrations for "cognac," "cognac brandy," or "brandy"]	Sloan	No
2-14	EX	76/017,060	Nutro Products, Inc.	Hanak (D) Quinn Bottorff*	2(d)	Refusal Affirmed		"PUPPY DRUMSTICKS" [pet food, namely, snacks for dogs]	"DRUMSTIX WITH REAL CHICKEN & TURKEY" [cat food]	Feldman	No
2-14	EX	76/102,991	FM International Services (NY), Ltd.	Hohein Hairston Bottorff*	2(d)	Refusal Reversed		"FMI" (and design) [providing and administering employee benefit and retirement programs]	<i>2 cited registrations, both owned by the same entity:</i> "FMI" [insurance underwriting services]; "FMI" (in stylized design format) [insurance underwriting services]	W. K. Price	No

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